UNITED STATES PATENT AND TRADEMARK OFFICE

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09/749,869	12/28/2000	Sunil H. Contractor	BELL-0048/00124	7435

49584 7590 01/11/2006		EXAMINER	
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		ART UNIT	PAPER NUMBER
		2645	

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>03</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>06 October 2005</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1 and 3-38* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1 and 3-38* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a) ☐ All b) ☐ Some * c) ☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____.

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date <u>07/28/05, 08/22/05</u>.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   This action is responsive to an amendment filed 10/06/05. Claims 1 and 3-38 are

pending. Claim 2 has been cancelled.

Response to Arguments

2.   Applicant's arguments mailed on 10/06/05 have been fully considered but are moot in

view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459

(1966), that are applied for establishing a background for determining obviousness under 35

U.S.C. 103(a) are summarized as follows:

    1.   Determining the scope and contents of the prior art.
    2.   Ascertaining the differences between the prior art and the claims at issue.
    3.   Resolving the level of ordinary skill in the pertinent art.
    4.   Considering objective evidence present in the application indicating obviousness
            or nonobviousness.

5.   This application currently names joint inventors. In considering patentability of the

claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various

claims was commonly owned at the time any inventions covered therein were made absent any

evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out

the inventor and invention dates of each claim that was not commonly owned at the time a later

invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c)

and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6.   Claims 1, 3-5, 8, 10, 11, 13-16, 21-25, 28, 32-35 and 37 are rejected under 35 U.S.C.

103(a) as being unpatentable over Frech et al. (U.S. Patent No. 6,233,325) in view of

Henningson et al. (U.S. Patent No. 6,301,350).

Regarding claim 1, Frech teaches placing a call [i.e., first telephone call] from the calling

station 111 [i.e., first telephone station] directed to the called station 112 [i.e., second telephone

station] via an originating switch 101 [i.e., first service switching point] of the switching network

(fig.1, 2; col.3, lines 36-43, col.4, lines 16-18, col.6, lines 1-42).

Frech further teaches placing a new call [i.e., second telephone call] from SCN/IP [i.e.,

services node] to the called station 112 via a terminating switch 102 [i.e., second service

switching point] (col.3, lines 36-43, col.5, lines 38-42).

Frech further teaches replacing a telephone directory number associated with the SCN/IP

with a telephone directory number associated with the calling station 111 (col.6, line 21-col.7,

line 9). (Note: since call legs 152 and 153 are being disconnected after the direct connection

between call leg 151 and the called party's line is established (see fig.1; col.7, lines 1-4) it is

inherent that the directory number assigned to SCN/IP is replaced by directory number

associated with the calling station)

Frech further teaches determining information associated with the calling station 111 from a database stored at a services control point (col.5, lines 66, 67, col.6, lines 1-5, 12-20, 29-31).

Frech further teaches audibly announcing [i.e., communicating] the information associated with the calling station 111 to the called station 112 via the second call (col.6, lines 12-20, 45-51).

However, Frech does not specifically teach "visually communicating the telephone directory number of the first telephone station that replaced the telephone directory number associated with the services node via the second call and the second service switching point". Henningson teaches displaying [i.e., visually communicating] the telephone directory number of the first telephone station that replaced the telephone directory number associated with the services node via the second call and the second service switching point (fig.14; col.12, lines 32-40). Thus, it would have been obvious to one of ordinary skill in the art the time the invention was made to modify Frech such that the called party's display unit can display the caller telephone number information to the called party in order to allow the called party to decide whether he will save or delete selective telephone numbers.

Regarding claim 3, Frech teaches transmitting an audible message to the second telephone station requesting a response identifying whether to accept or reject the call (fig.4, step 21; col.6, lines 12-20, 45-58).

Regarding claim 4, Frech teaches receiving from the second telephone station a signal identifying whether to accept or reject the call (fig.4, step 22; col.6, lines 63, 64).

Regarding claim 5, Frech teaches connecting the first telephone station and the second telephone station if the second telephone station accepts the call (fig.4, step 22; col.6, line 63-col.7, line 3).

Frech further teaches inherently terminating the call if the second telephone station rejects the call (fig.4, step 21; col.6, lines 12-20, 45-58).

Regarding claim 8, Frech teaches receiving information associated with the first telephone station and with the second telephone station (col.5, lines 38-54, col.6, lines 29-32).

Regarding claim 10, Frech teaches retrieving a name associated with the first telephone station (col.5, line 66- col.6, line 1).

Regarding claim 11 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Frech teaches that at the service switching point, forwarding a request to the service control point to identify the SCN/IP [i.e., one of the plurality of services nodes] to place a second call to the second telephone station (col.5, lines 38-56).

Frech further teaches that at the service control point, identifying the SCN/IP to place a new call to the second telephone station (col.5, lines 38-56, 66, 67, col.6, lines 1-5).

Frech further teaches that at the SCN/IP identified by the service control point, forwarding a request to the service control point to provide information associated with the first telephone station (col.5, lines 38-56, 66, 67, col.6, lines 1-5, 40-44).

Frech further teaches that at the service control point, identifying information associated with the first telephone station from a database on the service control point (col.5, lines 66, 67, col.6, lines 1-5, 12-20). (Note: database is inherent for SCP)

Frech further teaches that at the SCN/IP identified by the service control point, receiving

the information associated with the first telephone station from the service control point (col.5,

lines 66, 67, col.6, lines 1-5, 12-20, 40-44, 55-62).

Regarding claim 13, Frech teaches that information identifying the second telephone

station (col.6, lines 12-20, 40-44).

Regarding claim 14, Frech teaches that querying a database using information identifying

the second telephone station (col.6, lines 12-20, 40-44). (Note: database is inherent for SCP)

Regarding claim 15, Frech teaches a request from the second telephone station to accept

the call from the first telephone station (fig.4, step 2; col.6, lines 63, 64).

Regarding claim 16, Frech teaches a request from the second telephone station to reject

the call from the first telephone station (fig.4, step 21; col.6, lines 63, 64). (Note: if the called

party presses 2, then it rejects the call, therefore, it is inherent that the second telephone station

can make a request to reject the call from the first telephone station)

Regarding claim 21 is rejected for the same reasons as discussed above with respect to

claim 1. Furthermore, Frech teaches that a services control point communicating with the first

service switching point, the second service switching point and the SCN/IP and having a

database including information associated with the first telephone station wherein the SCN/IP

receives the information associated with the first telephone station from the service control point

(fig.1; col.5, lines 66, 67, col.6, lines 1-5, 12-20, 29-62). (Note: database is inherent for SCP)

Regarding claim 22, Frech teaches that the service control point, upon receipt of a request

from the service switching point, queries inherently a database and identifies a SCN/IP adapted

to connect the first telephone station and the second telephone station (col.6, lines 1-5, 12-20, 29-67, col.7, lines 1-4).

Regarding claim 24, Frech teaches that the identified SCN/IP initiates a query to the service control point requesting information concerning the first telephone station (col.5, lines 66, 67, col.6, lines 1-5, 12-20, 29-62).

Regarding claim 25, Frech further teaches that the service control point queries inherently the database and returns information concerning the first telephone station to the SCN/IP (col.5, lines 66, 67, col.6, lines 1-5, 12-20, 29-62).

Regarding claim 28, Frech further teaches that the service control point sends information associated the first telephone station to the SCN/IP (col.5, lines 66, 67, col.6, lines 1-5, 12-20, 29-62).

Regarding claim 32, Frech teaches that the SCN/IP requests the second telephone station to identify if the second telephone station will accept or reject the call from the first telephone station (fig.4, step 21; col.6, lines 55-62).

Regarding claim 33, Frech teaches that the second telephone station accepts the call from the first telephone station and the SCN/IP connects the first telephone station with the second telephone station (fig.4, steps 21, 22; col.6, lines 55-66).

Regarding claim 34, Frech teaches that if the second telephone inherently rejects the call from the first telephone station and the SCN/IP terminates the call from the second telephone station (fig.4, step 21; col.6, lines 55-58).

Regarding claim 37, Frech teaches that the SCN/IP upon receipt of a request from the second telephone station to accept the call from the first telephone station, connects the first telephone station with the second telephone station (fig.4, steps 21, 22; col.6, lines 55-67, col.7, lines 1-4).

7.   Claims 6 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Frech et al. (U.S. Patent No. 6,233,325) in view of Henningson et al. (U.S. Patent No. 6,301,350) further in view of Devillier (U.S. Patent No. 5,850,435).

Regarding claims 6 and 35, Frech in view of Henningson fails to teach "connecting the first telephone station with the voice mailbox of the second telephone station". Devillier teaches connecting the calling party with the voice mail of the second telephone station (abstract; fig.1, fig.4; col.3, lines 37-49; 'calling party' reads on the claim 'first telephone station', 'voice mail' reads on the claim 'voice mailbox' and 'second telephone ' reads on the claim 'second telephone station'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Frech in view of Henningson to connect the first telephone station with the voice mailbox of the second telephone station as taught by Devillier. The motivation for the modification is to have the ring timer in order to provide message storage for the called party for later retrieval.

8.   Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Frech et al. (U.S. Patent No. 6,233,325) in view of Henningson et al. (U.S. Patent No. 6,301,350) further n view of Griffiths et al. (U.S. Patent No. 5,481,602).

Regarding claim 7, Frech in view of Henningson fails to teach "continuing to send a ringing signal to the first telephone station until a ring timer expires". Griffiths teaches playing ringing to the calling party until a timer expires (abstract; col.2, lines 1-20; 'playing ringing' reads on the claim 'continuing to send a ringing signal', 'calling party' reads on the claim 'first telephone station' and 'ring timer' reads on the claim 'timer'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Frech in view of Henningson to allow a ring timer as taught by Griffiths. The motivation for the modification is to have the ring timer in order to provide the calling party more time having the chance to get connected with the called party.

9.   Claims 9, 17 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Frech et al. (U.S. Patent No. 6,233,325) in view of Henningson et al. (U.S. Patent No. 6,301,350) further in view of Madoch et al. (U.S. Patent No. 6,141,409).

Regarding claim 9, Frech in view of Henningson fails to teach "at the service control point, querying a second service control point for the information associated with the first telephone station". Madoch teaches at the service control point, querying a second service control point for the originating number (fig.4; col.4, lines 30-49; 'the originating number' reads on the claim 'the information associated with the first telephone station'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Frech in view of Henningson to allow a query a second service control point as taught by Madoch. The motivation for the modification is to have the query a second service control point in order to provide the information associated with the calling party.

Regarding claim 17, Frech teaches querying inherently a database at the services control point for the information associated with the first telephone station (col.6, lines 1-5, 12-20, 55-62).

Frech in view of Henningson fails to teach "if no information is found in the database at the service control point, querying at least another service control point for the information associated with the first telephone station". Madoch teaches if no information is found in the database at the service control point, querying a second service control point for the originating number (fig.4; col.4, lines 30-49; 'a second service control point' reads on the claim 'at least another service control point' and 'the originating number' reads on the claim 'the information associated with the first telephone station'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Frech in view of Henningson to allow a query a second service control point as taught by Madoch. The motivation for the modification is to have the query a second service control point in order to provide the information associated with the calling party.

Frech further teaches that at the service control point, transmitting the information associated with the first telephone station to the services node (col.6, lines 1-5, 12-20, 55-62).

Regarding claim 27, Frech in view of Henningson fails to teach "said service control point queries at least a second service control point for information associated with the first telephone station". Madoch teaches the service control point, querying a second service control point for the originating number (fig.4; col.4, lines 30-49; 'the originating number' reads on the claim 'the information associated with the first telephone station'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Frech in view of

Henningson to allow a query a second service control point as taught by Madoch. The motivation

for the modification is to have the query a second service control point in order to provide the

information associated with the calling party.

10.   Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Frech et al. (U.S.

Patent No. 6,233,325) in view of Henningson et al. (U.S. Patent No. 6,301,350) further in view

of Malik et al. (U.S. Patent No. 6,404,875).

Regarding claim 12, Frech in view of Henningson fails to teach "retrieving at least more

than 15 characters of data from said database". Malik teaches retrieving at least more than 15

characters of data from the database (col.3, lines 13-26, col.8, lines 57-67, col.9, lines 1-21).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was

made to modify Frech in view of Henningson to allow more than 15 characters of data as taught

by Malik. The motivation for the modification is to have more than 15 characters of data from

the database in order to provide information about the calling party as well as the called party.

11.   Claims 18-20 and 29-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Frech et al. (U.S. Patent No. 6,233,325) in view of Henningson et al. (U.S. Patent No. 6,301,350)

further in view of Bossemeyer, Jr. et al. (U.S. Patent No. 6,400,809).

Regarding claim 18, Frech in view of Henningson fails to teach "converting textual

information to audible signals". Bossemeyer teaches converting textual caller information to

text-to-speech format (abstract; fig.3; col.3, lines 63-67, col.4, lines 1-6; 'caller information'

reads on the claim 'information' and 'text-to-speech format' reads on the claim 'audible

signals'). Thus, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify Frech in view of Henningson to allow a conversion as taught by Bossemeyer. The motivation for the modification is to have the conversion in order to provide a change in data from one format to another format.

Regarding claim 19, Frech in view of Henningson fails to teach "converting textual information to audible signals by means of computer-generated sounds". Bossemeyer teaches converting textual caller information to text-to-speech format by means of pre-processor (abstract; fig.3, fig.4; col.3, lines 16-20, col.4, lines 17-28; 'caller information' reads on the claim 'information', 'text-to-speech format' reads on the claim 'audible signals' and 'pre-processor' reads on the claim 'computer-generated sounds'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Frech in view of Henningson to allow a conversion as taught by Bossemeyer. The motivation for the modification is to have the conversion in order to provide a change in data from one format to another format.

Regarding claims 20 and 31, Frech teaches playing announcements (col.6, lines 55-62; 'announcements' reads on the claim 'pre-recorded speech files').

Regarding claim 29, Frech in view of Henningson fails to teach "the services node converts the information associated with the first telephone station to an audible message". Bossemeyer teaches converting textual caller information to text-to-speech format (abstract; fig.3; col.3, lines 63-67, col.4, lines 1-6; 'caller information' reads on the claim 'information' and 'text-to-speech format' reads on the claim 'audible signals'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Frech in view of Henningson to allow a conversion as taught by Bossemeyer. The motivation for the

modification is to have the conversion in order to provide a change in data from one format to another format.

Regarding claim 30, Frech in view of Henningson fails to teach "the audible message is computer-generated". Bossemeyer teaches the text-to-speech format by means of pre-processor (abstract; fig.3, fig.4; col.3, lines 16-20, col.4, lines 17-28; 'caller information' reads on the claim 'information', 'text-to-speech format' reads on the claim 'audible message' and 'pre-processor' reads on the claim 'computer-generated'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Frech in view of Henningson to allow a conversion as taught by Bossemeyer. The motivation for the modification is to have the conversion in order to provide a change in data from one format to another format.

12.   Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Frech et al. (U.S. Patent No. 6,233,325) in view of Henningson et al. (U.S. Patent No. 6,301,350) further in view of Dugan et al. (U.S. Patent No. 6,363,411).

Regarding claim 23, Frech teaches audibly announcing the information associated with the first telephone station to the second telephone station (col.6, lines 55-62).

Frech in view of Henningson fails to teach "a signal is detected". Dugan teaches that DTMF tones is detected in response to system prompts (col.70, lines 11-30; 'DTMF tones' reads on the claim 'signal'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Frech in view of Henningson to allow a signal detection as taught by Dugan. The motivation for the modification is to have the detection in order to provide a request for the information associated with the calling party.

13.   Claims 26 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Frech et al. (U.S. Patent No. 6,233,325) in view of Henningson et al. (U.S. Patent No. 6,301,350) further in view of Cox et al. (U.S. Patent No. 5,812,533).

Regarding claims 26 and 38, Frech in view of Henningson fails to teach "at least more that 50 characters of data". Cox teaches retrieving at least 50 characters of information from the database (abstract; col.2, lines 49-67, col.17, lines 50-67, col.18, lines 1-67; 'information' reads on the claim 'data'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Frech in view of Henningson to allow a 50 characters of data as taught by Cox. The motivation for the modification is to have the higher data length in order to provide enough space for the user's name.

14.   Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Frech et al. (U.S. Patent No. 6,233,325) in view of Henningson et al. (U.S. Patent No. 6,301,350) further in view of Devillier (U.S. Patent No. 5,850,435) further in view of Griffiths et al. (U.S. Patent No. 5,481,602).

Regarding claim 36 is rejected for the same reasons as discussed above with respect to claim 7.

Conclusion

15.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S. Elahee whose telephone number is (571) 272-7536. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GERALD GAUTHIER
PATENT EXAMINER

M·E·

MD SHAFIUL ALAM ELAHEE
January 3, 2006